

Applicant: GATTO  
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### **REMARKS**

In response to the Final Office Action mailed April 3, 2008 (hereinafter "Final Action"), claims 1-7, 9-27, 29, 32-33, and 35-38 have been amended. No claims have been cancelled or newly added. Therefore, claims 1-38 remain pending. Support for the instant amendments is provided throughout the as-filed Specification. Thus, no new matter has been added. In view of the foregoing amendments and following comments, allowance of all the claims pending in the application is respectfully requested.

### **EXAMINER INTERVIEW**

Primary Examiner Narayanswamy Subramanian is thanked for the courtesies extended to Applicant's representative (Mr. S. Jafar Ali – Reg. No. 58,780) during a telephonic interview conducted on July 9, 2008. During the interview, Applicant's representative and the Examiner discussed the alleged rejections in view of the claim language, as set forth in further detail herein.

### **INFORMATION DISCLOSURE STATEMENT**

Applicant is submitting herewith a Supplemental Information Disclosure Statement and respectfully requests that the Examiner consider the cited references and provide a signed copy of the Form PTO-1449 for this submission with the next Office Action.

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### **REJECTIONS UNDER 35 U.S.C. § 101**

Claims 1-38 stand rejected under 35 U.S.C. § 101 as *allegedly* being directed to non-statutory subject matter [Final Action, pages 2-3]. In particular, the Examiner alleges that the claimed invention "is inoperative and therefore lacks utility," and further contends that the claimed invention is directed to "functional descriptive material per se" [Final Action, page 2].

Applicant disagrees with the rejection for *at least* the reason that the Examiner is improperly reading limitations into 35 U.S.C. § 101 on the subject matter that may be patented. However, *solely* in an effort to expedite prosecution, and in no way acquiescing to the propriety of the alleged rejection, independent claim 1 has been amended to recite, among other things, that the system includes "a computer configured for" performing various functions, and further that "a memory [is] coupled to the computer for storing" information. As such, the claimed system does not merely recite functional descriptive material per se for at least the reason that independent claim 1 clearly recites tangible physical components for realizing the functionality recited therein.

For at least this reason, withdrawal of the rejection of claims 1-38 under 35 U.S.C. § 101 is earnestly sought.

### **REJECTIONS UNDER 35 U.S.C. § 112, FIRST PARAGRAPH**

Claims 1-38 stand rejected under 35 U.S.C. § 112, first paragraph, as *allegedly* being drawn to a system with single means [Final Action, page 3]. *Solely* in an effort to expedite

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prosecution, and in no way acquiescing to the propriety of the alleged rejection, the claims have been amended to clarify that the system includes "a computer configured for" performing various functions recited therein.

For at least the foregoing reason, withdrawal of the rejection of claims 1-38 under 35 U.S.C. § 112, ¶1 is earnestly sought.

**REJECTIONS UNDER 35 U.S.C. § 112, SECOND PARAGRAPH**

Claims 1-38 stand rejected under 35 U.S.C. § 112, second paragraph, as *allegedly* being incomplete for omitting essential steps, such omission amounting to a gap between the steps [Final Action, page 4]. The Examiner further alleges that claims 1-38 are indefinite for failing to particularly point out and distinctly claim the subject matter that Applicant regards as the invention [Final Action, pages 4-6].

Applicant disagrees with the rejection set forth by the Examiner, as the claims pending prior to the foregoing amendment were clearly definite and would not prevent a person of ordinary skill in the art from interpreting the metes and bounds of the claims. However, *solely* in an effort to expedite prosecution, and in no way acquiescing to the propriety of the alleged rejection, independent claim 1 has been amended as indicated above, rendering the rejection moot. The amendments to claims 7, 18, 22, 25, 33, and 38 render the rejections moot with regard to these claims.

Accordingly, withdrawal of the rejection of claims 1-38 under 35 U.S.C. § 112, ¶2 is earnestly sought.

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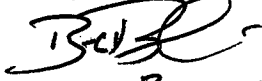
**CONCLUSION**

Having addressed each of the foregoing rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, the application is in condition for allowance. Notice to that effect is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Date: August 1, 2008

Respectfully submitted,

By:   
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S. Jafar Ali  
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